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In re Application of  
Stephen J. Rothermel, et al.  
Application No. 10/813,495  
Filed: March 30, 2004  
US Publication No. 2005/0219734  
Published: October 6, 2005  
For: **WRITE HEAD ALIGNMENT FOR FULL  
AMPLITUDE TIME-BASED SERVO**

**NOTIFICATION OF  
IDENTIFICATION OF PRIOR  
ART IN A THIRD PARTY  
SUBMISSION UNDER  
37C.F.R. § 1.99**

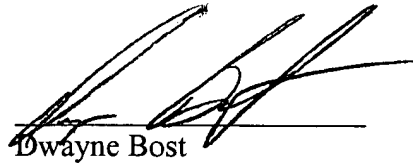
This is a decision on the third party submission filed in the subject application on December 9, 2005, pursuant to 37 CFR 1.99.

37 C.F.R. § 1.99 Third-party submission in published application, states:

- (a) A submission by a member of the public of patents or publications relevant to a pending published application may be entered in the application file if the submission complies with the requirements of this section and the application is still pending when the submission and application file are brought before the examiner.
- (b) A submission under this section must identify the application to which it is directed by application number and include:
  - (1) The fee set forth in § 1.17(p);
  - (2) A list of the patents or publications submitted for consideration by the Office, including the date of publication of each patent or publication;
  - (3) A copy of each listed patent or publication in written form or at least the pertinent portions; and
  - (4) An English language translation of all the necessary and pertinent parts of any non-English language patent or publication in written form relied upon.
- (c) The submission under this section must be served upon the applicant in accordance with § 1.248.
- (d) A submission under this section shall not include any explanation of the patents or publications, or any other information. The Office will not enter such explanation or information if included in a submission under this section. A submission under this section is also limited to ten total patents or publications.
- (e) A submission under this section must be filed within two months from the date of publication of the application (§ 1.215(a)) or prior to the mailing of a notice of allowance (§ 1.311), whichever is earlier. Any submission under this section not filed within this period is permitted only when the patents or publications could not have been submitted to the Office earlier, and must also be accompanied by the processing fee set forth in § 1.17(i). A submission by a member of the public to a pending published application that does not comply with the requirements of this section will not be entered.
- (f) A member of the public may include a self-addressed postcard with a submission to receive an acknowledgment by the Office that the submission has been received. A member of the public filing a submission under this section will not receive any

communications from the Office relating to the submission other than the return of a self-addressed postcard. In the absence of a request by the Office, an applicant has no duty to, and need not, reply to a submission under this section.

The submission complies with the requirements set forth above and will be entered into the application file.

A handwritten signature in black ink, appearing to read 'Dwayne Bost', is written over a horizontal line.

Dwayne Bost  
Special Programs Examiner  
Technology Center 2600  
Communications